

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA)	
)	
v.)	Magistrate No. 17-1511M
)	
JOHN JAMES HORNEZES)	

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

INTRODUCTION

I, Eric Harpster, Task Force Officer ("TFO"), Drug Enforcement Administration ("DEA"), United States Department of Justice, being duly sworn, state as follows:

1. I am an "Investigative or Law Enforcement Officer of the United States" within the meaning of Title 18, United States Code, Section 2510(7); that is, an officer of the United States who is empowered by law to conduct investigations of, and to make arrests for, offenses enumerated in Title 18, United States Code, Section 2516.

2. I am a detective with the City of Pittsburgh Police Department in addition to being a TFO with the DEA. I have been a law enforcement officer for the past 17 years. During my employment and tenure as a law enforcement officer, I have participated in numerous investigations of the unlawful possession and distribution of controlled substances, including cocaine, heroin, and marijuana, in violation of Title 21 of the United States Code. These investigations have involved the use of confidential sources, physical surveillance, electronic surveillance, pen register and toll analysis, and Title III intercepted wire and electronic communications.

3. I have been a Pittsburgh police officer since September 2000. As a Pittsburgh police officer, I was assigned to patrol and investigate criminal offenses occurring within Zone 5 covering the eastern neighborhoods of the City of Pittsburgh, including Homewood and

surrounding neighborhoods. As a Pittsburgh police officer, I arrested hundreds of individuals for illegally possessing and/or trafficking in controlled substances as well as the criminal possession/use of firearms. I was also assigned to the Pittsburgh Police Street Response Unit in 2005 where I made numerous arrests of individuals for illegally possessing and trafficking in controlled substances as well as the criminal possession/use of firearms. In May 2006, I was assigned to the Allegheny County Violent Crimes and Firearms Task Force as a result of which I was part of numerous long-term investigations of the illegal trafficking of controlled substances which included personally engaging in the undercover purchase of various controlled substances. I conducted several hundred hours of surveillance during these drug-trafficking investigations.

4. During my employment as a narcotic Task Force Officer/Trooper, I have participated in numerous investigations involving the unlawful distribution and possession with the intent to distribute controlled substances, including cocaine, in violation of Title 21, United States Code, Sections 841 and 846. These investigations have utilized undercover officers, informants, cooperating sources, sources of information, physical surveillance, electronic surveillance, pen registers, and telephone toll analysis. Further, in my capacity as a Pennsylvania State Police Trooper/DEA Task Force Officer, I have participated in surveillance or monitoring in multiple federal and state court-approved wiretap investigations. I have participated in numerous narcotics and narcotics-related investigative actions including: surveillance; arrests; traffic stops; undercover purchases; controlled purchases; reverses; trash pulls; wiretaps; recorded conversations; subpoenas; and search warrants. I have also participated in the interviews of hundreds of narcotics sellers, buyers and users including defendants, cooperators and confidential informants. Through these investigations and conversations with other agents and officers, I have become familiar with the methods used by traffickers to smuggle, store, and distribute drugs,

collect and launder drug proceeds, and the sophisticated tactics that drug traffickers routinely use in an attempt to thwart investigations.

5. I have participated in the investigation of John James HORNEZES, who has been distributing quantities of cocaine hydrochloride and/or cocaine base throughout the Western District of Pennsylvania, specifically in/around Allegheny County.

6. This case has been investigated by the Drug Enforcement Administration (DEA), Pennsylvania State Police (PSP), Internal Revenue Service (IRS), the Bureau of Alcohol Tobacco and Firearms (ATF), the Pennsylvania Office of the Attorney General (POAG), and other law enforcement agencies in the Western District of Pennsylvania. I have obtained the information contained in this affidavit from my personal participation in this investigation and from reviewing information obtained by other law enforcement officers.

7. This affidavit is submitted in support of a criminal complaint against, and arrest warrant for John James HORNEZES. For the reasons set forth below, there is probable cause to conclude that, on November 30, 2017, HORNEZES, in the Western District of Pennsylvania, possessed with intent to distribute cocaine base, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C), and possessed a firearm as a convicted felon in violation of 18 U.S.C. Section 922(g)(1).

BACKGROUND¹

8. On November 29, 2017, Task Force Officer Thomas Hobart of the Drug Enforcement Administration sought and obtained from Chief Magistrate Judge Maureen P. Kelly

¹ Note: Because this affidavit is being submitted for the limited purpose of supporting a criminal complaint and arrest warrant as stated herein, I have not included each and fact known to me concerning the events surrounding the seizure of cocaine base and a firearm from HORNEZES on November 30, 2017. Instead, I have set forth only those facts necessary to establish the requisite probable cause in supporting a criminal complaint and arrest warrant.

authorization to search several locations, one of which is associated with HORNEZES, at 17-1486M. This search warrant was executed on November 30, 2017.

9. The warrant at 17-1486M granted authorization to search the residence at 1357 Oakhill Street, Pittsburgh, Pennsylvania 15212 (hereinafter the Target Location). This is the residence of John James HORNEZES, as confirmed by the fact that the target location is HORNEZES's listed address. This was corroborated because HORNEZES was present in the Target Location when the execution of the search began on November 30, 2017 at approximately 6:01 AM.

10. In the master bedroom, in between the mattress and box spring on the right side of the bed near the head of the bed, a Ruger P89 pistol, bearing serial number "31544956," was discovered fully loaded with one live round in the chamber ready to be discharged. Note: A firearm query on the seized Ruger P89 revealed that the firearm was reported stolen by the registered owner on March 30, 2016. In addition, as per a criminal history check, HORNEZES has at least one prior felony drug arrest.

11. Also seized inside the master bedroom was a large quantity of U.S. Currency that was located in a safe located on the floor of the master bedroom.

12. Further, approximately 200 grams of cocaine base, along with a digital scale, was seized from inside a Crown Royal bag that was located in a cabinet in the dining room area of the target location. I know, based on my training and experience, this amount of crack cocaine is consistent with the intent to distribute.

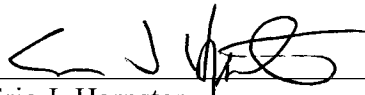
13. Finally, during the search of the target location, Tamika HORNEZES (the wife of John HORNEZES) and John HORNEZES III (the son of John HORNEZES) were present. Once the Ruger P89 and the crack cocaine were seized, HORNEZES, in an unsolicited statement, stated "look, they have nothing to do with this", indicating HORNEZES was admitting to possessing the

seized firearm and crack cocaine. To your affiant's knowledge, there are no other occupants of the Target Location other than John HORNEZES, Tamika HORNEZES, and John HORNEZES III, and no one else was present at the time the search was executed on November 30, 2017.

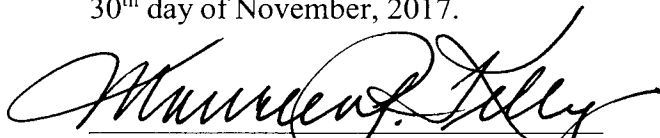
CONCLUSION

14. Based upon the foregoing, there is probable cause to arrest HORNEZES, for possession with intent to distribute cocaine base, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C), and possession of a firearm by a convicted felon in violation of 18 U.S.C. Section 922(g)(1).

The above information is true and correct to the best of my knowledge, information, and belief.


Eric J. Harpster
Task Force Officer
Drug Enforcement Administration

Sworn and subscribed this
30th day of November, 2017.


HONORABLE MAUREEN P. KELLY
Chief United States Magistrate Judge